



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

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In re Application of:

Andre BARKOWSKI et al.

For: COMPUTER SYSTEM IN A VEHICLE

Filed: May 4, 2006

Serial No.: 10/544,098
-----X

: Examiner: Nicholas Kiswanto

: Art Unit: 3664

MAIL STOP APPEAL BRIEF - PATENT
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APPEAL BRIEF PURSUANT TO 37 C.F.R. § 41.37

SIR:

In the above-identified patent application ("the present application"), Appellants filed a Notice Of Appeal on January 19, 2011, from the Final Office Action issued by the U.S. Patent and Trademark Office on July 20, 2010, so that the two-month appeal brief due date is March 21, 2011 (since March 19, 2011 is a Saturday).

In the Final Office Action, claims 12 to 35 were finally rejected. An Amendment After A Final Office Action was filed on November 9, 2010 (and mailed on November 4, 2010), and an Advisory Action issued December 1, 2010.

It is understood for purposes of the appeal that any Amendments to date have already been entered by the Examiner, including those in the Amendment After A Final Office Action filed November 9, 2010.

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1. REAL PARTY IN INTEREST

The real party in interest in the present appeal is Robert Bosch GmbH ("Robert Bosch") of Stuttgart in the Federal Republic of Germany. Robert Bosch is the assignee of the entire right, title and interest in the present application.

2. RELATED APPEALS AND INTERFERENCES

There are no interferences or other appeals related to the present application, which "will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal".

3. STATUS OF CLAIMS

CLAIMS 1 TO 11 ARE CANCELED.

A. Claims 12 to 14 and 16 to 35 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2003/0195676 ("Kelly").

B. Claim 15 was rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent Application No. 2003/0195676 ("Kelly"), in view of U.S. Patent Application No. 2008/0034409 ("O'Rourke").

Appellants therefore appeal from the final rejections of pending claims 12 to 35. A copy of all of the pending and appealed claims 12 to 35 is attached hereto in the Claims Appendix.

4. STATUS OF AMENDMENTS

In response to the Final Office Action mailed on July 20, 2010, Appellants filed an Amendment After A Final Office Action, which was filed on November 9, 2010 (and mailed on November 4, 2010). The Amendment After A Final Office Action included minor amendments, which Applicants believe were entered and are therefore the pending and appealed claims.

5. SUMMARY OF CLAIMED SUBJECT MATTER

The concise explanation of the summary of the claimed subject matter is as follows, as described in the context of the present application.

Claim 12 is to a computer system in a vehicle. (See Specification, pg. 3, line 7 and Fig. 1). The system includes at least two computers that perform different tasks. (See Specification, pg. 3, lines 7 and 8 and Fig. 1). A distribution of the tasks among the at least two computers takes place according to a significance of functions for driving of the vehicle. (See Specification, pg. 3, lines 10 to 12). The functions include driving-related functions that are implemented in a first computer of the at least two computers. (See Specification, pg. 3, lines 14 to 19). The functions also include non-driving-related functions that are implemented in a second computer of the at least two computers. (See Specification, pg. 3, lines 19 to 26). Further, in the system, at least one driving-related function is temporarily distributed to the second computer for execution. (See Specification, pg. 6, lines 9 to 11).

Dependent claim 21 further provides that the first computer gives computing-intensive tasks to the second computer, and the first computer executes the computer-intensive tasks if the second computer is not available. (See Specification, Figure 1 and related text).

Claim 22 is to a multimedia computer for use in a motor vehicle. (See Fig. 1). The multimedia computer implements entertainment functionalities and is connected via at least one interface with an additional computer that implements driving functions. (See Fig. 1).

Claim 23 is to a computer system in a vehicle. (See Specification, pg. 3, line 7 and Fig. 1). The system includes a first processing unit in the vehicle, configured to perform critical driving-related functions. (See Specification, pg. 3, lines 14 to 26 and Fig. 1). The first processing unit is substantially closed from end-user modifications. (See Specification, pg. 2, lines 2 to 5). The system includes a second processing unit in the vehicle, configured to perform an auxiliary set of functions. (See Specification, pg. 3, lines 19 to 26). The second processing unit is configurable by the end-user. (See Specification, pg. 2, lines 11 to 17). The system includes a data transfer connection between the first and second processing units. (See Fig. 1). The system is configured to distribute critical driving-related functions to the first processing unit and the second processing unit, based at least in part on an availability of the respective processing units and on how processing-intensive the functions are. (See Specification, pg. 6, lines 9 to 11). The system is configured to distribute the auxiliary set of functions exclusively to the second processing unit. (See Specification, pg. 6, lines 13 to 19).

Claim 33 is to a computer system in a vehicle that includes a graphics processor and at least two computers that perform different tasks. (See Specification, pg. 3, lines 7 and 8 and Fig. 1). A distribution of the tasks among the at least two computers being performed in accordance with a significance of functions for guidance of the vehicle. (See Specification, pg. 3, lines 10 to 12). A first one of the computers includes functions related to driving, in which a second one of the computers includes functions not related to driving. (See Specification, pg. 2, lines 2 to 5, and pg. 3, lines 19 to 26). The computers are connected to the graphics processor, in which the computers communicate with each other via one predefined interface. (See Figure 1). Further, a function related to driving is primarily performed by the first one of the computers and is temporarily distributed to the second one of the computers for execution. (See Specification, pg. 6, lines 9 to 11).

Claim 34 is to a computer system in a vehicle including a graphics processor, and at least two computers that perform different tasks. (See Specification, pg. 3, lines 7 and 8 and Fig. 1). A distribution of the tasks among the at least two computers is performed in accordance with a significance of functions for guidance of the vehicle. (See Specification, pg. 3, lines 10 to 12). A first computer includes functions related to driving. (See Specification, pg. 3, lines 14 to 19). A second computer includes functions not related to driving. (See Specification, pg. 3, lines 19 to 26). The computers are connected to the graphics processor, and communicate with each other via one predefined interface. (See Figure 1). In the system, a critical function related to driving is routed to the second one of the computers via the one predefined interface. (See Specification, pg. 6, lines 9 to 11). Further, the first computer is a closed system, the second computer is an open system, which permits a user to make changes to software or to a configuration. (See Specification, pg. 2, lines 11 to 17).

Claim 35 is to a computer system in a vehicle including at least two computers that perform different tasks. (See Specification, pg. 3, lines 7 and 8 and Fig. 1). A distribution of the tasks among the at least two computers is performed in accordance with a significance of functions for guidance of the vehicle. (See Specification, pg. 3, lines 10 to 12). The system includes a first and second graphics processor. (See Figure 1). The first computer includes functions related to driving. (See Specification, pg. 3, lines 14 to 19). The second computer includes functions not related to driving. (See Specification, pg. 3, lines 19 to 26). Further, the computers communicate with each other via one predefined interface. (See Figure 1). The first computer is connected to the first graphics processor, and the second computer is

connected to the second graphics processor. (See Figure 1). The graphics processors communicate with each other via the one predefined interface. (See Figure 1). The first computer is a closed system, the second computer is an open system, and the open system permits a user to make changes to a software program or to a configuration. (See Specification, pg. 2, lines 11 to 17).

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Whether claims 12 to 14 and 16 to 35 under 35 U.S.C. 102(e) are anticipated by U.S. Patent Application No. 2003/0195676 (“Kelly”).

B. Whether claim 15 under 35 U.S.C. § 103(a) are unpatentable over U.S. Patent Application No. 2003/0195676 (“Kelly”), in view of U.S. Patent Application No. 2008/0034409 (“O’Rourke”).

7. ARGUMENT

A. THE ANTICIPATION REJECTIONS OF CLAIMS 12 TO 14 AND 16 TO 35

Claims 12 to 14 and 16 to 25 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2003/0195676 (“Kelly”).

As regards the anticipation rejections of the claim, to reject a claim under 35 U.S.C. § 102, the Office must demonstrate that each and every claim feature is identically described or contained in a single prior art reference. (See *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). As explained herein, it is respectfully submitted that the prior Office Action does not meet this standard, for example, as to all of the features of the claims. Still further, not only must each of the claim features be identically described, an anticipatory reference must also enable a person having ordinary skill in the art to practice the claimed subject matter. (See *Akzo, N.V. v. U.S.I.T.C.*, 1 U.S.P.Q.2d 1241, 1245 (Fed. Cir. 1986)).

As further regards the anticipation rejection, to the extent that the Office Action may be relying on the inherency doctrine, it is respectfully submitted that to rely on inherency, the Examiner must provide a “basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics *necessarily* flows from the teachings of the applied art.” (See M.P.E.P. § 2112; emphasis in original; and see *Ex parte Levy*, 17

U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Int'f. 1990)). Thus, the M.P.E.P. and the case law make clear that simply because a certain result or characteristic may occur in the prior art does not establish the inherency of that result or characteristic.

Claims 12 to 14 and 16 to 35

Claim 34 includes the features in which “at least two computers . . . perform different tasks, a distribution of the tasks among the at least two computers being performed in accordance with a significance of functions for guidance of the vehicle,” in which a “first one of the computers includes functions related to driving, wherein a second one of the computers includes functions not related to driving,” and in which a “*critical function related to driving is routed to the second one of the computers via the one predefined interface.*”

As to this feature, the Advisory Action conclusorily asserts that “Kelly discloses connections between the various computers in the vehicle, for example the GPS and main vehicle CPU; these interfaces communicate with each other constantly, thus routing functions to one another. Using the broadest reasonable interpretation, electrical power itself is routed to the GPS unit, power being a critical function related to driving.” Even if this were so, (which is not conceded), there is no basis for the conclusory conclusion that this somehow describes “routing functions to one another.”

It is respectfully submitted that each assertion ignores the “reasonable” requirement in applying “the broadest reasonable interpretation” standard, as evidenced by the conclusory assertion that electrical power is somehow a “function[] related to driving,” as provided for in the context of claim 34. The claim clearly provides that “a critical function related to driving is routed to the second one of the computers via the one predefined interface,” in which “the computers communicate with each other via the one predefined interface.” Thus, even if power were “a critical function related to driving,” Kelly simply does not identically disclose the feature of power being “routed” over a “predefined interface” with which “the computers communicate with each other,” as provided for in the context of the presently claimed subject matter. Moreover, such an arrangement (i.e., power over a data bus) would most likely destroy those computers.

For at least these reasons, the rejection of claim 34 should be reversed.

Claims 12, 23, 33, and 35 include features similar to those discussed above as to claim 34, and therefore the respective rejections should be reversed for essentially the same reasons, so that these claims are allowable, as are their dependent claims 13, 14, 16 to 22, and 24 to 32.

Claim 21

As further regards dependent claim 21, the Kelly reference does not identically disclose (or even suggest) the feature in which “the first computer gives computing-intensive tasks to the second computer, and the first computer executes the computer-intensive tasks if the second computer is not available.” As to Fig. 2, none of its elements 18 and any of 14, 16, 17, or 19, and of element 48 or of Fig. 5 “gives computing-intensive tasks to the second computer.” Element 48 is cited as “the second computer,” but none of the elements receives *any* tasks from another computer. Also, element 48 is *outside* the vehicle, while claim 12 recites “a computer system in a vehicle,” which includes “at least two computers that perform different tasks.” The Office cites paragraph 66, which only refers to element 18, and states that “[w]hen performing a task, the operator must bring the vehicle 11 to a stop as a safety precaution.” This is wholly unrelated to the feature of “a first computer giv[ing] computing-intensive tasks to the second computer, and the first computer executes the computer-intensive tasks if the second computer is not available,” as provided for in the context of the presently claimed subject matter. The only place element 48 is mentioned is in paragraph 52, and no mention is made of any other element (e.g., 18) giving any tasks to element 48.

The Advisory Action goes on to state that “assuming *arguendo* that element 48 is a computer outside a vehicle, even so, while element 48 is connected to the vehicle CPU and conducting operations it would be in the vehicle because otherwise it cannot communicate with the CPU.” It is unclear how element 48 can be assumed to be outside the vehicle and then conclude that it is somehow inside the vehicle. In any event, Kelly makes plain that element 48 is outside the vehicle.

B. THE OBVIOUSNESS REJECTION OF CLAIM 15

Claim 15

Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2003/0195676 (“Kelly”), in view of U.S. Patent Application No. 2008/0034409 (“O’Rourke”).

To reject a claim under 35 U.S.C. § 103(a), the Office bears the initial burden of presenting a *prima facie* case of obviousness. *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish *prima facie* obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This

teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Also, as clearly indicated by the Supreme Court in *KSR*, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements” in the manner claimed. See *KSR Int’l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007). In this regard, the Supreme Court further noted that “rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *Id.*, at 1396. Second, there must be a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 15 depends from claim 12, as presented, and it is therefore allowable for essentially the same reasons as claim 12, as presented, since the O’Rourke reference does not cure -- and is not asserted to cure -- the critical deficiencies of Kelly.

Additionally, the secondary O’Rourke reference does not disclose “a GPS unit . . . integrated with an entertainment unit.” Cited paragraph 0038 of O’Rourke generally indicates that the gateway can handle all sorts of network traffic, including “location services (global positioning system (GPS) architectures, navigation, traffic conditions), and value added services (news, weather, sports, game, entertainment, music, etc.) for example.” However, a gateway handling network traffic from several types of devices, simply does not in any disclose “a GPS unit . . . integrated with an entertainment unit,” in which the “non-driving-related functions are entertainment-specific functions,” as provided for in the context of claim 15. The Advisory Action asserts that O’Rourke *implies* and that it would be obvious that the GPS and entertainment units are well-known devices that would be trivial to combine. The Office Actions to date essentially admit that none of the cited references actually disclose the features of claim 15 and only conclusorily assert that it would be obvious and that the references somehow imply the features. This is wholly insufficient to sustain even a *prima facie* case of obviousness under *KSR*, which requires “some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” For at least these additional reasons, the rejection of claim 15 should be reversed.

As further regards all of the obviousness rejections, Official Notice was respectfully traversed since the Examiner has not provided, as requested, specific evidence to establish those assertions and/or contentions that may be supported by that Official Notices under 37 C.F.R. § 1.104(d)(2) or otherwise. In particular, the Examiner did not provide an affidavit and/or published information concerning these assertions, even though the § 103 rejections are apparently being based on assertions that draw on facts within the personal knowledge of the Examiner, since no support was provided for these otherwise conclusory and unsupported assertions. (See also MPEP § 2144.03).

As further regards each of the obviousness rejections, it is respectfully submitted that the cases of In re Fine, supra, and In re Jones, 21 U.S.P.Q.2d 1941 (Fed. Cir. 1992), make plain that the Office's generalized assertions that it would have been obvious to modify or combine the references do not properly support a § 103 rejection. It is respectfully submitted that those cases make plain that the Answer reflects a subjective "obvious to try" standard, and therefore does not reflect the proper evidence to support an obviousness rejection based on the references relied upon. In particular, the Court in the case of In re Fine stated that:

The PTO has the burden under section 103 to establish a *prima facie* case of obviousness. It can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. This it has not done. . . .

Instead, the Examiner relies on hindsight in reaching his obviousness determination. . . . One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.

In re Fine, 5 U.S.P.Q.2d at 1598 to 1600 (citations omitted; italics in original; emphasis added). Likewise, the Court in the case of In re Jones stated that:

Before the PTO may combine the disclosures of two or more prior art references in order to establish *prima facie* obviousness, there must be some suggestion for doing so, found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. . . .

Conspicuously missing from this record is any evidence, other than the PTO's speculation (if it be called evidence) that one of ordinary skill . . . would have been motivated to make the modifications . . . necessary to arrive at the claimed [invention].

In re Jones, 21 U.S.P.Q.2d at 1943, 1944 (citations omitted; italics in original).

That is exactly the case here since it is believed and respectfully submitted that the Office Actions to date offer no evidence whatsoever, but only conclusory hindsight, reconstruction and speculation, which these cases have indicated does not constitute evidence that will support a proper obviousness finding. Unsupported assertions are not evidence as to why a person having ordinary skill in the art would be motivated to modify or combine references to provide the claimed subject matter of the claims to address the problems met thereby. Accordingly, the Office must provide proper evidence of a motivation for modifying or combining the references to provide the claimed subject matter.

Also, the Federal Circuit in the case of In re Kotzab has made plain that even if a claim concerns a “technologically simple concept” — which is not the case here — there still must be some finding as to the “specific understanding or principle within the knowledge of a skilled artisan” that would motivate a person having no knowledge of the claimed subject matter to “make the combination in the manner claimed,” stating that:

In this case, the Examiner and the Board fell into the hindsight trap. The idea of a single sensor controlling multiple valves, as opposed to multiple sensors controlling multiple valves, is a technologically simple concept. With this simple concept in mind, the Patent and Trademark Office found prior art statements that in the abstract appeared to suggest the claimed limitation. But, there was no finding as to the specific understanding or principle within the knowledge of a skilled artisan that would have motivated one with no knowledge of Kotzab's invention to make the combination in the manner claimed. In light of our holding of the absence of a motivation to combine the teachings in Evans, we conclude that the Board did not make out a proper prima facie case of obviousness in rejecting [the] claims . . . under 35 U.S.C. Section 103(a) over Evans.

In re Kotzab, 55 U.S.P.Q.2d 1313, 1318 (Fed. Cir. 2000) (emphasis added). Here again, there have been no such findings to establish that the features discussed above of the rejected claims are met by the reference relied upon. As referred to above, any review of the reference, whether taken alone or combined, makes plain that the reference simply does not describe the features discussed above of the rejected claims.

Thus, the proper evidence of obviousness must show why there is a suggestion as to the reference so as to provide the subject matter of the claimed subject matter and its benefits.

In short, there is no evidence that the reference relied upon, whether taken alone or otherwise, would provide the features of the claims discussed above. It is therefore respectfully submitted that the claims are allowable for these reasons.

As still further regards all of the obviousness rejections of the claims, it is respectfully submitted that a proper *prima facie* case has not been made in the present case for obviousness, since the Office Actions to date never made any findings, such as, for example, regarding in any way whatsoever what a person having ordinary skill in the art would have been at the time the claimed subject matter of the present application was made. (See *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998) (the “factual predicates underlying” a *prima facie* “obviousness determination include the scope and content of the prior art, the differences between the prior art and the claimed invention, and the level of ordinary skill in the art”)). It is respectfully submitted that the proper test for showing obviousness is what the “combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art”, and that the Patent Office must provide particular findings in this regard — the evidence for which does not include “broad conclusory statements standing alone”. (See *In re Kotzab*, 55 U.S.P.Q. 2d 1313, 1317 (Fed. Cir. 2000) (citing *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1618 (Fed. Cir. 1999) (obviousness rejections reversed where no findings were made “concerning the identification of the relevant art”, the “level of ordinary skill in the art” or “the nature of the problem to be solved”))). It is respectfully submitted that there has been no such showings by the Office Actions to date or by the Advisory Action.

In fact, the present lack of any of the required factual findings forces both Appellants and this Appeals Board to resort to unwarranted speculation to ascertain exactly what facts underly the present obviousness rejections. The law mandates that the allocation of the proof burdens requires that the Patent Office provide the factual basis for rejecting a patent application under 35 U.S.C. § 103. (See *In re Piasecki*, 745 F.2d 1468, 1472, 223 U.S.P.Q. 785, 788 (Fed. Cir. 1984) (citing *In re Warner*, 379 F.2d 1011, 1016, 154 U.S.P.Q. 173, 177 (C.C.P.A. 1967))). In short, the Examiner bears the initial burden of presenting a proper *prima facie* unpatentability case — which has not been met in the present case. (See *In re Oetiker*, 977 F.2d 1443, 1445, 24, U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992)).

Accordingly, all of pending claims 12 to 35 are allowable.

CONCLUSION

In view of the above, it is respectfully requested that the rejections of the finally rejected claims 12 to 35 be reversed, and that these claims be allowed as presented.

Dated: _____

3/18/2011

Respectfully submitted,

KENYON & KENYON LLP

By: _____

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CLAIMS APPENDIX

1-11. (Canceled).

12. A computer system in a vehicle, comprising:
at least two computers that perform different tasks,
wherein a distribution of the tasks among the at least two computers takes place according to a significance of functions for a driving of the vehicle, the functions including driving-related functions that are implemented in a first computer of the at least two computers, and non-driving-related functions that are implemented in a second computer of the at least two computers, and at least one driving-related function is temporarily distributed to the second computer for execution.
13. The computer system as recited in Claim 12, wherein the driving-related functions are vehicle-specific functions.
14. The computer system as recited in Claim 12, wherein:
the driving-related functions contain specific information connected with at least one of:
one of an operation, a navigation, and a driving of the vehicle, and
a warning and an orientation of a driver, and
the driving-related functions form a driver-related Human Machine Interface (“HMI”) and a driver information system.
15. The computer system as recited in Claim 12, wherein the non-driving-related functions are entertainment-specific functions.
16. The computer system as recited in Claim 12, wherein:
the driving-related functions include at least one of the following functions:
navigation systems,

one of a Human Machine Interface (“HMI”) logic system and an HMI manager that one of controls and evaluates a display and an operation of the vehicle,
one of speech recognition software and speech synthesis software,
a program for outputting one of driving instructions and driver warnings, and
a representation of two-dimensional maps for orientation, and
the non-driving-related functions include at least one of the following functions:
an Internet browser,
a service download,
a representation of three-dimensional graphics,
an application for entertaining passengers,
a game,
a video reproduction system,
a digital video broadcast system, and
a connection of connectable portable devices including one of a laptop and a PDA.

17. The computer system as recited in Claim 12, wherein the second computer is a powerful multimedia computer.

18. The computer system as recited in Claim 12, further comprising:
at least one interface provided between the first computer and the second computer.

19. The computer system as recited in Claim 12, wherein the first computer is connected to an internal vehicle bus.

20. The computer system as recited in Claim 12, wherein a computing-intensive function of a driving-related part is are computed in a non-driving-related part.

21. The computer system as recited in Claim 12, wherein:

the first computer gives computing-intensive tasks to the second computer, and the first computer executes the computer-intensive tasks if the second computer is not available.

22. A multimedia computer for use in a motor vehicle, wherein the multimedia computer implements entertainment functionalities and is connected via at least one interface with an additional computer that implements driving functions.

23. A computer system in a vehicle, comprising:

- a first processing unit in the vehicle, configured to perform critical driving-related functions, wherein the first processing unit is substantially closed from end-user modifications;

- a second processing unit in the vehicle, configured to perform an auxiliary set of functions, wherein the second processing unit is configurable by the end-user;

- a data transfer connection between the first and second processing units;

- the system configured to distribute critical driving-related functions to the first processing unit and the second processing unit, based at least in part on an availability of the respective processing units and on how processing-intensive the functions are; and

- the system configured to distribute the auxiliary set of functions exclusively to the second processing unit.

24. The system of claim 23, wherein the system is configured to modify the auxiliary second set of functions based on user input, and wherein the system is configured to restrict modification of the driving-related functions.

25. The system of claim 23, wherein the second processing unit is a receiving subsystem with an interface configured to interface with a plurality of equipment added to the system via the interface.

26. The system of claim 23, wherein the auxiliary second set of functions include enhancements of the driving-related functions.

27. The system of claim 26, wherein one enhancement includes interactive graphical maps, and wherein one driving-related function, associated with the one enhancement, includes basic navigation data.

28. The system of claim 23, wherein the first processing unit is configured as a master processing unit and the second processing unit is configured as a slave processing unit.

29. The system of claim 23, wherein the second processing unit is configured with more processing power than the first processing unit.

30. The system of claim 29, wherein the second processing unit is optimized for multimedia processing.

31. The system of claim 23, wherein the system is configured to modify the auxiliary second set of functions based on user input, wherein the system is configured to restrict modification of the driving-related functions, wherein the second processing unit is a receiving subsystem with an interface configured to interface with a plurality of equipment added to the system via the interface, wherein the auxiliary second set of functions include enhancements of the driving-related functions.

32. The system of claim 31, wherein one enhancement includes interactive graphical maps, and wherein one driving-related function, associated with the one enhancement, includes basic navigation data, wherein the first processing unit is configured as a master processing unit and the second processing unit is configured as a slave processing unit, wherein the second processing unit is configured with more processing power than the first processing unit, and wherein the second processing unit is optimized for multimedia processing.

33. A computer system in a vehicle, comprising:
a graphics processor; and

at least two computers that perform different tasks, a distribution of the tasks among the at least two computers being performed in accordance with a significance of functions for guidance of the vehicle, wherein a first one of the computers includes functions related to driving, wherein a second one of the computers includes functions not related to driving, wherein the computers are connected to the graphics processor, wherein the computers communicate with each other via one predefined interface, and wherein a function related to driving primarily performed by the first one of the computers is temporarily distributed to the second one of the computers for execution.

34. A computer system in a vehicle, comprising:

a graphics processor; and

at least two computers that perform different tasks, a distribution of the tasks among the at least two computers being performed in accordance with a significance of functions for guidance of the vehicle,

wherein a first one of the computers includes functions related to driving, wherein a second one of the computers includes functions not related to driving,

wherein the computers are connected to the graphics processor, wherein the computers communicate with each other via one predefined interface,

wherein a critical function related to driving is routed to the second one of the computers via the one predefined interface, and

wherein the first one of the computers is a closed system, the second one of the computers is an open system, and the open system permits a user to make changes to software or to a configuration.

35. A computer system in a vehicle, comprising:

at least two computers that perform different tasks, a distribution of the tasks among the at least two computers being performed in accordance with a significance of functions for guidance of the vehicle;

a first graphics processor; and

a second graphics processor;

Claims Appendix 5

wherein a first one of the at least two computers includes functions related to driving,
wherein a second one of the at least two computers includes functions not related to driving,

wherein the at least two computers communicate with each other via one predefined interface,

wherein the first one of the at least two computers is connected to the first graphics processor,

wherein the second one of the at least two computers is connected to the second graphics processor,

wherein the graphics processors communicate with each other via the one predefined interface, and

wherein the first one of the at least two computers is a closed system, the second one of the at least two computers is an open system, and the open system permits a user to make changes to a software program or to a configuration.

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EVIDENCE APPENDIX

Appellants have not submitted any evidence pursuant to 37 CFR Sections 1.130, 1.131 or 1.132, and do not rely upon evidence entered by the Examiner.

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RELATED PROCEEDINGS INDEX

There are no interferences or other appeals related to the present application.